

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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SEAN CAMPBELL,

Petitioner,

- against -

**BRIAN FISCHER, Superintendent of
Sing Sing Correctional Facility,**

Respondent.
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GERSHON, United States District Judge:

Judge Azrack has issued a Report and Recommendation, dated June 30, 2005, to which petitioner has filed objections. The objections are without merit and Judge Azrack's report is adopted in its entirety because it correctly analyzes the applicable principles of law and correctly applies them to the facts. The petition for a writ of habeas corpus is denied. As petitioner has failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability is denied.

SO ORDERED.

/s/

NINA GERSHON
United States District Judge

Dated: **Brooklyn, New York**
September 2, 2005

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ SEP 2005 ★

BROOKLYN OFFICE

04 CV 3569 (NG)(JMA)

ORDER

D/F